

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

LUKE LLOYD CLARK,)	
)	
Petitioner,)	
)	
v.)	1:25-cv-206
)	
EDDIE M. BUFFALOE, JR.,)	
)	
Respondent.)	

ORDER

On March 26, 2025, the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 2, 3.) No objections were filed within the time limits prescribed by Section 636.

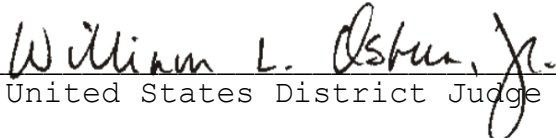
Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 2), is **ADOPTED. IT IS FURTHER ORDERED** that this action is construed as a habeas petition under 28 U.S.C. § 2254 and is hereby **DISMISSED WITHOUT PREJUDICE** to Petitioner filing a new petition which corrects the defects of the current Petition, and shall be accompanied by either the five-dollar filing fee or a current application to proceed in forma pauperis.

The court further finds there is no substantial showing of the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, therefore a certificate of appealability is not issued.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 29th day of April, 2025.


United States District Judge